

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

FILED

IN AND FOR THE COUNTY OF YUMA

2002 APR 25 PM 5:09

BEVERLY FRAME
CLERK OF SUPERIOR COURT
YUMA, ARIZONA 85359

IN THE MATTER OF)

AMENDMENT OF RULES 10 AND 13,)
YUMA COUNTY LOCAL RULES)
OF PRACTICE)

Administrative Order

2002 - 11

WHEREAS the Chief Justice of the Arizona Supreme Court has requested the courts in Arizona counties to conform their local rules to certain rule amendments known informally as the "Civil Rules Consolidation Project;" and

WHEREAS pursuant to Rule 83, Ariz. R. Civ. P., amendments to local rules of practice require the approval of a majority of the judges of the county and pursuant to Resolution No, 2002-02, a majority of the judges of the Superior Court of the State of Arizona in and for the County of Yuma have approved the attached amendments to Rules 10 and 13, Local Rules of Practice for the Yuma County Superior Court;

NOW, THEREFORE, IT IS HEREBY ORDERED that, the attached amendments to Rules 10 and 13, Local Rules of Practice of the Yuma County Superior Court be and the same are hereby amended in accordance with the attachment to this Administrative Order, and, subject to the approval of the Chief Justice of the Arizona Supreme Court, to be effective June 1, 2002.

DATED this 24th day of April, 2002



Hon. Tom C. Cole, Presiding Judge
Yuma County Superior Court

Copies to:

Hon. Andrew W. Gould
Hon. Kirby Kongable
Hon. John N. Nelson
Hon. Thomas A. Thode
Hon. Denise D. Gaumont
Hon. John Paul Plante
Hon. Beverly Frame
Margaret C. Guidero
Tim Hardy
Martin Krizay

**LOCAL RULES OF PRACTICE
YUMA COUNTY SUPERIOR COURT**

* * *

Rule 10. Arbitration

~~Pursuant to Chapter 360, Second Regular Session--1986, amending A.R.S. 12-133, a~~ All civil cases filed with the Clerk of the Court in which the Court finds or the parties agree that the amount in controversy does not exceed \$30,000.00 shall be subject to the provisions of A.R.S. 12-133 and Rules 72 through 76 of the Rules of Civil Procedure governing compulsory arbitration ~~the Uniform Rules of Procedure for Arbitration.~~

All cases shall be heard by a single arbitrator unless the parties stipulate that the case be heard by a panel of three arbitrators.

Each arbitrator shall be paid the sum of \$75.00 per day for his or her service.

In all cases where insurance coverage exists for one or more of the parties to the action, any issue of bad faith shall raise the presumption that the case does not fall within the jurisdictional limits for arbitration. This presumption may be contested by motion and a hearing will be conducted thereon by the Judge assigned to the case.

~~This rule, as amended, shall become effective December 1, 1988, but it is applicable to all cases filed on or after August 14, 1986, which are pending on the effective date of this amendment and in which no trial date before a judge is pending.~~

Pursuant to Rule 73(b)(1) of the Rules of Civil Procedure ~~rule 2, Uniform Rules of Procedure for Arbitration, as amended effective July 17, 1991, from and after November 1, 1991,~~ all residents of this county who are active members of the State Bar of Arizona, who have been active members of that Bar for at least 5 4 years, and who are not prohibited by statute or terms of employment from engaging in the private practice of law, are placed on this court's list of Arbitrators. All persons described in Rule 73(b)(2) of the Rules of Civil Procedure ~~2(b)(2) and (3), Uniform Rules of Practice for Arbitration,~~ may be placed on the list of Arbitrators upon approval by the presiding judge.

* * *

Rule 13. Setting of Civil Cases for Trial

A party desiring to have a civil case set for trial shall file a Motion to Set and Certificate of Readiness. The Certificate of Readiness shall certify that the parties have completed, or will have had a reasonable opportunity to complete, the procedures under Rules 26 through 36, Rules of Civil Procedure, within 60 days after the filing of the Certificate of Readiness. ~~A party intending to file a Motion to Set and Certificate of Readiness shall comply with Rule V(a), Uniform Rules of Practice of the Superior Court of Arizona.~~

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

IN THE MATTER OF)

RESOLUTION

AMENDMENT OF RULES 10 AND 13,)
YUMA COUNTY LOCAL RULES)
OF PRACTICE)

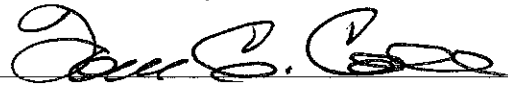
2002 - 02

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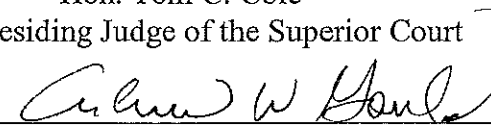
WHEREAS pursuant to Rule 83, Ariz. R. Civ. P., amendments to local rules of practice require the approval of a majority of the judges of the county;

NOW, THEREFORE, the undersigned judges of the Superior Court in Yuma County, hereby RESOLVE that this court adopt, by administrative order to be entered by the presiding judge of the Superior Court in Yuma County, the attached amendments to Rules 10 and 13, Local Rules of Practice Yuma County Superior Court, to be effective June 1, 2002.

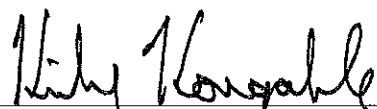
DATED this 24th day of April, 2002


Hon. Tom C. Cole
Presiding Judge of the Superior Court

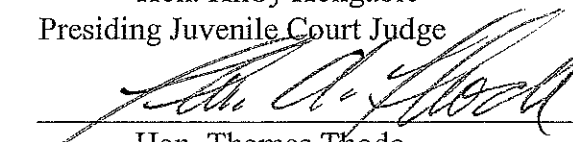
DATED this 24th day of April, 2002


Hon. Andrew W. Gould
Associate Presiding Judge of the Superior Court


DATED this 24 day of April, 2002


Hon. Kirby Kongable
Presiding Juvenile Court Judge

DATED this 24 day of April, 2002


Hon. Thomas Thode
Judge of the Superior Court

DATED this 24 day of April, 2002


Hon. John Nelson
Judge of the Superior Court

LOCAL RULES OF PRACTICE YUMA COUNTY SUPERIOR COURT

* * *

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